

Zoning Text Amendment No: 04-16
Concerning: Local Map Amendment Traffic
Test - Metro Station Policy Area
Draft No. & Date: 1 – 7/20/04
Introduced: 7/27/04
Public Hearing: 9/14/04; 1:30 p.m.
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Silverman

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- providing a process for an applicant for reclassification of property located in a Metro Station Policy Area to satisfy the applicant's burden of proof on certain traffic impact issues.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-H-2 "MAP AMENDMENTS—APPLICATIONS"

Add a new section

59-H-2.6 Local Map Amendments – Metro Station Policy Areas

EXPLANATION: ***Boldface** indicates a heading or a defined term.*

Underlining indicates text that is added to existing laws by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.

***Double underlining** indicates text that is added to the text amendment by amendment.*

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. Division 59-H-2 is amended as follows:

DIVISION 59-H-2. MAP AMENDMENTS - APPLICATIONS.

* * *

59-H-2.6. Local Map Amendments– Metro Station Policy Areas.

An applicant for a local map amendment for property located completely in a Metro station policy area, that will be subject to the Alternative Review Procedure for Metro Station Policy Areas contained in the Annual Growth Policy, may satisfy the applicant’s burden of proof on any traffic impact issue by:

- (a) showing that the applicant will satisfy the applicable trip reduction requirements of the Alternative Review Procedure for Metro Station Policy Areas contained in the Annual Growth Policy; and
- (b) including in the applicant’s certified development or diagrammatic plan a binding element that commits the applicant to comply with all relevant requirements of the Alternative Review Procedure for Metro Station Policy Areas contained in the Annual Growth Policy.

[59-H-2.6] 59-H-2.7 Sectional and district map amendments.

* * *

Sec. 2. Effective date. This ordinance becomes effective immediately upon Council adoption.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council